

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

Form 14. Motion for Extension of Time

Instructions for this form: <http://www.ca9.uscourts.gov/forms/form14instructions.pdf>

9th Cir. Case Number(s) 23-55821

Case Name Small v. Allianz Life Insurance Company of North America

Requesting Party Name(s) Allianz Life Insurance Company of North America

I am: ☐ The party requesting the extension.
☒ Counsel for the party or parties requesting the extension.

I request an extension of time to file a:

- ☒ Brief (*you **must** also complete the Declaration on page 3*)
- ☐ Motion to proceed in forma pauperis
- ☐ Motion for a certificate of appealability
- ☐ Response/opposition to a pending motion
- ☐ Reply to a response/opposition to a pending motion
- ☐ Certified Administrative Record
- ☐ Response to court order dated
- ☐ Other (*you **must** describe the document*)

The requested new due date is: February 22, 2024

I request the extension of time because (**cannot be left blank**):
(*attach additional pages if necessary*)

I have had substantial obligations in: preparing the principal brief of appellant Premier Nutrition Corporation in *Montera v. Premier Nutrition Corp.*, No. 23-16162 (9th Cir.) (filed 1/12/24); presenting oral argument in *Domer v. Menard, Inc.*, No. 23-2672 (7th Cir.) (argued 1/25/24); and preparing the principal brief of appellant Wells Fargo Bank, N.A., in *In re: Application of Wells Fargo Bank, N.A.*, No. 2023-05665 (N.Y. App. Div. 1st Dep't) (filed 1/29/24).

Signature /s/ Mark D. Taticchi **Date** Feb 1, 2024

(*use “s/[typed name]” to sign electronically-filed documents*)

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov

Recitals in criminal and immigration cases pursuant to Circuit Rule 27-8

Complete this section for criminal or immigration cases.

Previous requests for extension of time to file the document, including any request for a Streamlined Extension of Time under Circuit Rule 31-2.2(a) (*select one*):

- ☐ I have **NOT** filed a previous request to extend time to file the document.
- ☐ I have previously requested an extension of time to file the document.

This motion is my request.

(Examples: first, second)

Bail/detention status (*select one*):

- ☐ The defendant is incarcerated. The projected release date is: .
- ☐ The petitioner is detained.
- ☐ The defendant/petitioner in this criminal/immigration case is at liberty.

Signature

Date

(use "s/[typed name]" to sign electronically-filed documents)

Declaration in support of extension to file brief under Circuit Rule 31-2.2(b)

Complete this section if you are requesting an extension of time to file a brief.

1. I request an extension of time to file the brief.

(Examples: opening, answering, reply, first cross-appeal)

2. The brief's current due date is:

3. The brief's first due date was:

4. A more detailed explanation of why the extension of time to file the brief is necessary: *(Under Circuit Rule 31-2.2(b), a request for extension of time to file a brief must be "supported by a showing of diligence and substantial need" and a conclusory statement as to the press of business does not constitute such a showing. Attach additional pages if necessary.)*

I have had substantial obligations in: drafting the opening brief in *Montera v. Premier Nutrition Corp.*, No. 23-16162 (CA9) (1/12/24); arguing *Domer v. Menard, Inc.*, No. 23-2672 (CA7) (1/25/24); and preparing the opening brief in *In re App. of Wells Fargo Bank, N.A.*, No. 2023-05665 (N.Y. 1st Dep't).

5. The position of the other party/parties regarding this request is:

☒ Unopposed.

☐ Opposed by *(name of party/parties opposing this motion)*:

☐ Unknown. I am unable to verify the position of the other party/parties because:

6. ☒ The court reporter is not in default with regard to any designated transcripts.

If the court reporter is in default, please explain:

7. ☒ I have exercised diligence and I will file the brief within the time requested.

I declare under penalty of perjury that the foregoing is true and correct.

Signature

Date

(use "s/[typed name]" to sign electronically-filed documents)

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov